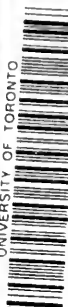


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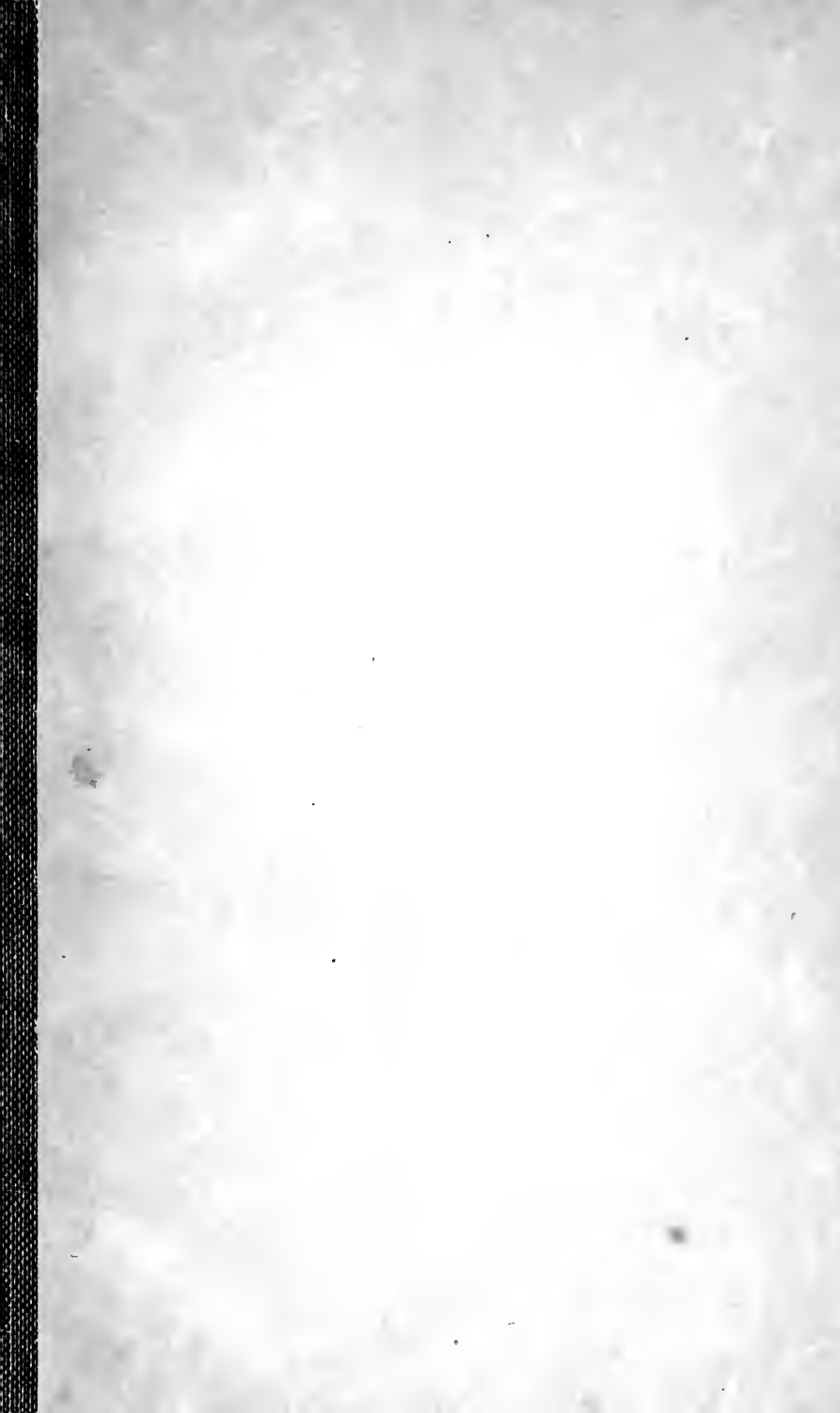


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IPSE DIXIT
OR THE
GLADSTONIAN SETTLEMENT
OF
IRELAND.

BY
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*One of Her Majesty's Counsel;
Regius Professor of Laws, and Public Orator in the University of Dublin.*

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IPSE DIXIT.

ON a great question of supreme rank, like that of the Irish policy, Party, if need be, must give way, and sound argument, at all hazards, and all costs, must rule.

MR. GLADSTONE'S *Manifesto*.

THE Irish question has occupied much of the attention of Mr. Gladstone during his political career, and the right honourable gentleman would doubtless point to his Irish legislation as constituting his peculiar glory as a statesman. He has disendowed the Irish Church. He has practically transferred the fee-simple and inheritance of Ireland to the Irish People. He is now engaged on the still greater questions of the severance of the Legislature of the United Kingdom, the creation of a separate Legislature for Ireland, and the constitution of the Irish Legislative Body for the purposes of separation.

In his attempt to effect these important changes, Mr. Gladstone has deviated from the course which he adopted in his previous measures. In carrying the disendowment of the Irish Church he consulted with his colleagues, he submitted a series of resolutions to the House of Commons, he took the opinion of the country on the subject. In

framing his Agrarian Laws for Ireland he advanced step by step; he appointed commissions; he took the opinion of experts; he prepared Parliament and the country for the change. But on the vital question of Repeal he has taken no such precautions—he has given no such warning. In fact all his warnings, all his precautions, were the other way. He had denounced the Parnellites as steeped in treason—he had held them up to public indignation as the evangelists of plunder—he had proclaimed their League—he had imprisoned their leaders—he had expressed his determination to exhaust the resources of civilization in the endeavour to put them down. The last resolution of his last Government was a resolution to renew ‘the equitable clauses’ of the Crimes Act. The General Election followed. At the end of the year 1885, Mr. Gladstone entreated the country by everything it held dear to send him into Parliament with a Liberal majority sufficient to cope with the foul conspiracy which, he said, existed between the Parnellites and the Tories to disintegrate the Empire. At the commencement of the year 1886—*mirabile dictu*—all was changed. No transformation in a Christmas Pantomime could be more sudden or more complete. He was returned to power. He resolved to do what he accused the Conservatives of doing. He entered into a conspiracy with Mr. Parnell. He virtually joined the League. He took no counsel, gave no warning; he left the most trusted of his former colleagues in the dark; and

he supplied his followers with no reason for supporting his new policy except *Ipse Dixit*—the Prime Minister has spoken.

The Bill of Mr. Gladstone has descended like a thunderbolt upon an astonished people. The whole country is up in arms upon the question. It is not alone the Conservatives, or the Tories, or the Tory-Democrats that are alarmed. There is confusion in the camp of King Agramant. The great Liberal Party has been fairly shattered. The Constitutional Whigs have been true to their traditions. Rather than accept the measure, Lord Hartington has disregarded old associations and long-continued friendships; Mr. Goschen and Mr. Trevelyan have periled their political position; Sir Henry James has foregone the great object of ambition in a lawyer's life. Nor is it the Whigs alone that have been moved. The Radicals are roused. Mr. Bright has denounced the Bill; Mr. Chamberlain has seceded: Mr. Collings is in open rebellion against his chief. And what constitutes the following of Mr. Gladstone? A servile and sequacious minority of English and Scotch members, which is led by Mr. Labouchere, and Mr. Arch, and Mr. Bradlaugh, and the weakness of which is supplemented by the Irish vote. As far as men worthy of the name of statesmen are concerned, Mr. Gladstone virtually stands alone. Indeed the only noticeable man in England who supports the Prime Minister in his new departure is the great noble, who but yesterday was the

representative of an Imperial Crown, and to-day, like the vanquished Emperor, is holding the stirrups of his conqueror as he mounts his horse.

It is no wonder that parties are split, that the country is aroused, that there is a general feeling of apprehension. Ireland has not prospered in the hands of Mr. Gladstone. In spite of his Church policy, in spite of his Agrarian Laws, in spite of all his heroic legislation, Ireland is in much the same state now as it was in three hundred years ago, when Lord Spencer's ancestor wrote his View of the State of Ireland, in the form of a dialogue between Irenaeus and Eudoxus. 'If that country of Ireland, whence you lately came, be of so goodly and commodious a soil as you report', says Eudoxus, 'I wonder that no course is taken for the turning thereof to good uses, and reducing that nation to better government and civility.' 'Marry,' quoth Irenaeus, 'so there have been divers good plots devised, and wise counsels cast, about reformation of that realm, but they say it is the fatal destiny of that land, that no purposes whatsoever, which are meant for her good, will prosper or take good effect, which, whether it proceed from the very genius of the soil, or influence of the stars, or that Almighty God hath not yet appointed the time of her reformation, or that he reserveth her in this unquiet state still for some secret scourge, which shall by her come unto England, it is hard to be known, but yet much to be feared.'*

* *Tracts and Treatises on Ireland*, vol. i. p. 417.

And as even wise men, contemplating the desperate condition of the country, used the language of desperation then, so wise men are found using the language of desperation now. Men wished in Spenser's time 'that all that land were a sea-pool'. Men in our own time have peevishly exclaimed that the only remedy for the mischiefs and the miseries of Ireland was to submerge it for four-and-twenty hours beneath the sea. Even wise and honest men like Thomas Carlyle and John Bright have spoken of the unmooring of the island from its foundations in the deep, and of letting it drift three thousand miles westward towards the great Republic of the West. In fact there is scarce a man in England at the present moment who, if he dared to give public expression to his thoughts, would not express a devout desire that Ireland should be permitted to go her own way, so that England might be rid of her for ever.

But this is not to be. The fatal Island lies moored within sixty miles of Wales, within twenty miles of Scotland, within the reach of England. If England were to let her go, Ireland is too small, too weak, too tempting to the enemies of England, to be permitted to remain an independent state. For the last three hundred years her soil has been the scene of periodical invasions by the Continental Powers. Not a century ago her harbours were the rendezvous of French cruisers and American privateers. She is bound by traditional ties of gratitude and affection to America and France. However

magnanimous, however generous, the English people may be, they cannot abandon Ireland that another country may annex it. They cannot permit Ireland to become an outlying State of the American Union, or a dependency of the French Republic. They must garrison Ireland even if they are incompetent to govern it.

Is the Imperial people—the people which in the extent of its empire rivals Imperial Rome—incompetent to govern? As far as Ireland is concerned the Prime Minister asserts it is. The Bill for the future Government of Ireland is the last of the ‘good plots’ which he has devised for the reformation of the realm; and its great recommendation, in his opinion, is that here at all events, in spite of his previous failures, his policy will be *final*. ‘What I wish’, he said in the House of Commons, ‘is that we should no longer fence and skirmish with this question, but that we should come to close quarters with it; that we should get if we can at the root; that we should take measures not merely intended for the wants of to-day and of to-morrow, but, if possible, that we should look into a more distant future’. ‘In order to be a good plan’, he said, ‘it must be a plan promising to be a *real* settlement of Ireland’. ‘There have been several plans liberally devised’, he said, ‘for granting to Ireland the management of her education, the management of her public works, and the management of one subject and another—things very important in

themselves—under a central elective body’; but he does not think that ‘such a scheme would have possessed the advantage of *finality*’. In his late *Manifesto* the Prime Minister recurs to the idea, and proposes, ‘to treat the Irish question’ with ‘thoroughness of method’, and ‘to settle, on an adequate scale, and once for all, the long-vexed and troublesome relations between Great Britain and Ireland’.

Let us examine the Bill, then, with reference to this paramount advantage of finality; and in order to do this let us briefly analyse the provisions of the Bill, and collect its *disjecta membra* from the forty-one sections over which they have been deliberately scattered. The first section of the Bill proposes to enact that ‘on and after the appointed day there shall be established in Ireland a *Legislature*, consisting of Her Majesty the Queen and an Irish Legislative Body’, which shall have power ‘to make laws for the peace, order, and good government of Ireland’ (sec. 1). The seventh section proposes that ‘the Executive Government of Ireland shall continue vested in Her Majesty, and shall be carried on by the Lord Lieutenant on behalf of Her Majesty, with the aid of such officers and such council as to Her Majesty may from time to time seem fit’ (s. 7, subs. 1). It is next provided that ‘subject to any instructions which may from time to time be given by Her Majesty, the Lord Lieutenant shall give or withhold the assent of Her Majesty to bills passed by the

Irish Legislative Body, and shall exercise the prerogatives of Her Majesty in respect of the summoning, proroguing, and dissolving of the Irish Legislative Body, and any prerogatives the exercise of which may be delegated to him by Her Majesty' (subs. 2). And, finally, it is provided that 'the Legislature of Ireland shall not pass any Act relating to the office or functions of the Lord Lieutenant of Ireland' (s. 26, subs. 4); that his salary shall be charged, not on the Consolidated Fund of Ireland, but on that of the United Kingdom, and that the expenses of his household and establishment shall be defrayed out of moneys to be provided by the Parliament of Great Britain (subs. 2); and that, 'notwithstanding anything to the contrary contained in any Act of Parliament, every subject of Her Majesty shall be eligible to hold and enjoy the office of Lord Lieutenant of Ireland without reference to his religious belief' (subs. 1).

It will thus appear that the Legislature which is now supreme over the United Kingdom is to part for ever with a portion of its supremacy by creating a rival Legislature, which, within the limits of its circumscription, is to be supreme in Ireland.* It also appears that the *Lord Lieutenancy*, so long condemned as an anachronism by leading Liberals, is to be continued. The continuance of

* That the Irish Legislature, in all matters within its cognizance, is to be *supreme* is of the very essence of Mr. Gladstone's Bill. On this point Sir Henry James's speech in the House of Commons amounts to demonstration.

the Lord Lieutenancy will entail the continuance of the Castle—an institution which the Nationalist Newspapers have systematically denounced as a centre of corruption, and which the Radicals, as far as we can judge from the Radical Programme, were determined to abolish. The presence of the Lord Lieutenant, as a great English officer paid by English money, and receiving his instructions from England, will be a source of constant irritation to the Irish, and will necessitate all the ignominious managements and base traffickings of the Viceroy who represented the Crown in the times before the Union. The provision as to the religion of the Viceroy is a grave encroachment on the Protestant character of the Crown, which cannot but recall the times of James II. and Tyrconnel. As to the right of veto which the Viceroy is to possess we are left in doubt whether, like Olivia's guinea, it is to be kept in the pocket, or whether, like Aaron's rod, it is intended to be used. The prerogative of the veto has lain in abeyance since the time of Anne. If it is intended to remain in abeyance, then the provision of the Bill is a mere legislative sham; if it is to be exercised, it will eventually involve the Queen in a personal unpopularity of the most invidious kind—an unpopularity which will recall the atrocious times in which a Queen of France was nicknamed Madam Veto.

So much for the first branch of the new Legislature—the Lord Lieutenant. Let us briefly sketch the constitution of the second branch of the new

Legislature—the *Irish Legislative Body*. The Irish Legislative Body is to consist of a first and second order (s. 9, subs. 1). The first order is to consist of two parts—28 peers, who are to sit for life or a term of 30 years, whichever lasts the longer, and 75 elective members, who are to be possessed of a property qualification of £200 a year, derived from realized property, and are to be elected by occupiers of lands or tenements of the annual value of £25 or upwards, and are to have a ten years' term of office (s. 10). The second order is to consist of 204 members, to be chosen by the existing constituencies under the existing franchise, subject to any alteration in the constitution or election of the order, excepting as to its number, which may hereafter be made (s. 11)—‘due regard being had in the distribution of members to the population of the constituencies’ (s. 11, subs. 7). This composite body is to be summoned, prorogued, and dissolved by the Lord Lieutenant, subject to any instructions which he may receive from England (s. 7, subs. 2), with this limitation, that ‘the offices of members of the first order shall not be vacated by the dissolution of the Legislative Body’ (s. 10, subs. 8, clause 9). The two orders are to deliberate together and to vote together—like the Nobles, the Clergy, and the *Tiers Etat* in the last States General of France, but with one important point of difference. For the purposes of a suspensive veto, the Irish Legislative Body is to be regarded not as one Legislative Body, but as two separate Legislative

Bodies (s. 9, subs. 2), one of which may thwart the wishes of the other for a period of three years (s. 23). This Legislative Body 'may have continuance for five years, and no longer' (s. 6); and in every fifth year 37 or 38 of the elective members of the first order are to retire from office, the remainder returning to the next parliament without re-election (s. 10, subs. 6).

Such is the constitution of the new *Legislative Body*. The obvious objections to this constitution have only to be stated. Its property qualifications, its diversity of orders, its suspensive veto, are as alien to all Liberal ideas as they are alien to the spirit of the constitution. They are not only anomalous, but they are illusive. The graver objections to the scheme are those that lie beneath the surface. The scheme will never work so as to secure contentedness to Ireland or peace to England. In order to see how it will work we have only to inquire into its *powers*. This is essential in order that we may see how far the proposed settlement will be final—how far it will meet the aspirations of the Irish people—how far, in the words of Mr. Gladstone, it will meet 'the desire and the demand of Ireland'. This desire and this demand are now notorious. Mr. Parnell has proclaimed from a hundred platforms that the minimum he will accept is Grattan's Parliament. What, then, were the powers which Grattan claimed, and eventually extorted, from the fears of England? Everyone is familiar with his speech on the Irish

Declaration of Rights; and it is thus he spoke of the free Constitution which he claimed for Ireland. ‘Suffer me to state some of the things essential to that free Constitution. They are as follows:—the independency of the Irish Parliament; the exclusion of the British Parliament from any authority in this realm; the restoration of the Irish Judicature, and the exclusion of that of Great Britain’. ‘As to the Perpetual Mutiny Bill’, he said, ‘it must be more than limited—it must be effaced; that Bill must fall, or the Constitution cannot stand’. ‘What!’ he said, ‘a Bill making the Army independent of Parliament, and perpetual! I protested against it then; I have struggled with it since; and I am now come to destroy this great enemy of my country’. ‘As to the legislative powers of the Privy Councils’, he continued, ‘I conceive them to be utterly inadmissible against the Constitution, against the privileges of Parliament, and against the dignity of the Realm’. Mr. Grattan then produced an inventory of Bills, altered and injured, as he said, by the interference of the Privy Councils, and proceeded:—‘I will never consent to have men, God knows whom, Ecclesiastics, &c., &c., men unknown to the constitution of Parliament, and only known to the Minister, who has breathed into their nostrils an unconstitutional existence, steal to their dark divan to do mischief, and make nonsense of bills which their Lordships, the House of Lords, or we, the House of Commons, have thought good and fit for the people. No—those men have no

legislative qualifications ; they shall have no legislative power'. What, then, were Mr. Grattan's terms—terms which were eventually conceded—terms which Mr. Parnell has said to his constituents are the minimum of what he will accept? 'First. The repeal of the perpetual Mutiny Bill, and the dependency of the Irish army on the Irish Parliament. Second. The abolition of the legislative power of the Council. Third. The abrogation of the claim of England to make law for Ireland. Fourth. The exclusion of the English House of Peers, and of the English King's Bench, from any judicial authority in this realm. Fifth. The restoration of the Irish Peers to their final judicature—the independency of the Irish Parliament in its sole and exclusive legislature. These are my terms', he said ; 'I will take nothing from the Crown'.*

Now let us compare these terms with the final settlement of Mr. Gladstone, and it will give us an insight into the true character of its finality. Not one single point of Mr. Grattan's *ultimatum* is to be granted ! Not one single minim of Mr. Parnell's *minimum* is to be conceded ! One and all the terms of Mr. Grattan have been ingenuously ignored by Mr. Gladstone ! Thirteen momentous exceptions (sect. 3), and seven important restrictions (sect. 4), are Mr. Gladstone's answer to the demand for 'the independency of the Irish

* Grattan's *Speeches*, vol. i., pp. 127-129.

Parliament in its sole and exclusive legislation'. 'The dependency of the Irish army on the Irish Parliament' is out of the question; for Ireland is to be garrisoned by English troops (sect. 3, subs. 3). 'The abolition of the legislative power of the Council' is so far from being conceded, that the Irish Legislature will not be allowed to touch the rights or privileges of the meanest existing corporation 'without the leave of Her Majesty in Council' (sect. 4, subs. 5); the Irish Legislature will not be permitted to appropriate any part of the Irish revenue in relation to any prohibited subject without 'the assent of Her Majesty in Council' (sect. 19, subs. 2); the Irish Legislature will not have power to alter the salaries of even the future judges of the Exchequer Division without the like consent (sect. 20, subs. 2). Mr. Grattan demands 'the restoration of the Irish Judicature, and the exclusion of that of Great Britain'; Mr. Gladstone answers that the decision of all questions arising as to the powers conferred on the Legislature of Ireland by the Act are to be referred to the Judicial Committee of the Privy Council in *England* (s. 25, subs. *d*). Mr. Grattan demands 'the exclusion of the English House of Peers from any judicial authority in this realm'; Mr. Gladstone answers that 'save as in this Act provided with respect to matters to be decided by Her Majesty in Council'—the *English* Privy Council—'nothing in this Act shall affect the appellate jurisdiction of the House of Lords in respect of actions and suits

in Ireland' (sect. 36). Not only on high constitutional questions, such as the status of the Crown; not only in matters of international relation, such as war and peace; but on all matters relating to navigation and trade (sect. 3, subs. 9); on all matters relating to currency and coinage (subs. 12); on all matters relating to the exclusive rights of Irishmen to the use or profits of their own inventions (subs. 13), the interference of the Irish Legislative Body is precluded. In fine, Mr. Grattan demands 'the abrogation of the claim of England to make law for Ireland'; and Mr. Gladstone provides that 'save as herein expressly provided, all matters in relation to which it is not competent for the Irish Legislative Body to make or repeal laws, shall remain and be within the exclusive authority of the Imperial Parliament, save as aforesaid, whose power and authority in relation thereto shall in nowise be diminished or restrained by anything herein contained' (sect. 37).

When such paramount authority is claimed for the *Imperial Parliament* it becomes important to inquire what the Imperial Parliament now is, and what it is to be. The only constitutional body at present in existence which can claim the title of Parliament is the body that was created by the Act of Union. Before that Act there were two Parliaments and two Kingdoms under the 'Imperial Crown' of Britain. The Kingdoms were connected, but not united, by the Crown. The Act of Union destroyed the Parliament of Great Britain

as it destroyed the Parliament of Ireland, and provided that they should be replaced by 'one Parliament,' which it variously styles the 'United Parliament' and the 'Parliament of the United Kingdom.' The United Kingdom was created, not by the unity of the Imperial Crown, but by the unification of the Parliaments. And as it is the United Parliament which supplies the bond of union to the United Kingdom, so it is the United Parliament which supplies the bond of union to the Empire. It is the United Parliament alone which has a right to interfere in the Government of India under the Acts of 1858 and 1861; and it is by the Acts of the United Parliament that the validity of all Colonial Laws is to be tested under the Colonial Act of 1865. It is in the United Parliament, in fine, that the legislative omnipotence of which Mr. Gladstone speaks is vested—it is the United Parliament that alone can be regarded as Imperial.

But the *United Parliament*, and with it the United Kingdom, and the United Empire, is annihilated by Mr. Gladstone's scheme. The 24th section of the Bill proposes to enact that 'on and after the appointed day Ireland shall cease, except in the event hereafter in this Act mentioned'—the alteration of the Act provided for by s. 39—'to return representative peers to the House of Lords, or members to the House of Commons; and the persons who on the said day are such representative peers and members shall cease as such to be members of the House of Lords and

House of Commons respectively' (sec. 24). By this provision the House of Commons would be purged for ever of the Irish members; and this, with many, is the secret recommendation of the Bill. But see the constitutional results. The legislative expulsion of one hundred and three members from the House, effected by Mr. Gladstone, can only be paralleled by the expulsion of the hundred and forty members, which was effected in the time of the Commonwealth by Colonel Pride. But Mr. Gladstone's Purge will have a far more disastrous result than Colonel Pride's. He proposes to expel, not the mere members of a sect or party, but the whole of the representatives of what was once a Kingdom. And the consequence is plain. The expulsion of the Irish Members would virtually leave the Roman Catholics in Great Britain without a representative of their religion in the House of Commons. But it would do more than this. The United Parliament would cease to exist in ceasing to be united, and its omnipotence would be gone with its existence. There would be no Parliament before the authority of which Ireland, or India, or the Colonies could bow. It is idle to enact that the 'power and authority' of the 'Imperial Parliament' shall 'in nowise be diminished or restrained by anything in the Act contained' (s. 37). The Act annihilates the United Parliament, which alone is Imperial, and, with it, annihilates all its authorities and powers. Nay, as it stands, the Bill leaves England

and Scotland without a Legislature. It creates a Legislative Body for Ireland, but it actually makes no provision for the restoration of the Parliament of Great Britain. It merely contemplates the *residuum* of the United Parliament, which, after Mr. Gladstone's Purge, would sit at Westminster. It is this residuum that the Bill dignifies with the false style and title of the Imperial Parliament; it is this residuum, under its illusive name, that is to be regarded as the future Parliament of England and Scotland; and it is this residuum, unconstituted and undefined, that is to be paramount to the Irish Legislative Body.

The relation which at present subsists between Ireland and Great Britain is that of portions of a single system, of members of a single body, of parts of the one organic whole which was constituted by the *Union*. As to the relation which subsisted between them in the past, a variety of theories have been from time to time propounded. King John boldly ordained that Ireland should be governed by the laws of England in right of *conquest*.* Macaulay conceived that England had the right even to destroy the woollen manufacture of Ireland on the broad general principle that Ireland was a *colony* planted by her sons.† Blackstone lays it down as unquestioned law, that apart from Poyning's Acts, Ireland was bound by all English Statutes, in which it was expressly named, or impliedly included, on the

* 1 Black. *Com.*, 100.

† *History of England*, iv. 231.

ground that it was a *dependent state*. ‘This,’ he says, ‘follows from the very nature and constitution of a dependent state, dependence being very little else but an obligation to conform to the will or law of that superior person or state upon which the inferior depends’.* Such was the doctrine of the Irish Judges.† Mr. Gladstone tells us that ‘the exclusive right of the Parliament of Ireland to make laws for the people of Ireland never was denied till the reign of George II.’ All history belies the statement. It was its position of inferiority and dependence which the Irish House of Commons protested against in the year 1641, and which Tyrconnel’s Parliament renounced in 1689.‡ It was the ‘dependence and subordination of Ireland to the Imperial Crown’ of Great Britain that the English House of Commons entreated King William to enforce, when it condemned the tract of Molyneux to be burnt by the English common hangman in 1698. It was this subordination and dependence which was placed beyond all doubt in 1719, when the statute, 6 Geo. I. c. 5, declared that ‘the kingdom of Ireland ought to be subordinate to, and dependent upon, the Imperial Crown of Great Britain, as being

* 1 Black. *Com.*, 103.

† Grattan’s *Speeches*, i. 42.

‡ M’Gee, in his *History of Ireland*, states that the repeal of Poyning’s Law was prevented by the personal hostility of James (ii. 175). But in this M’Gee must be in error. The statement in the text is that of Macaulay (ii. 341), and of Froude (i. 212), in their respective histories of the period.

inseparably united thereto; and that the King's Majesty, with the consent of the Lords and Commons of Great Britain in Parliament, has power to make laws to bind the people of Ireland.' That statute, it is true, was repealed by the Act of 22 Geo. III. c. 53, when Ireland stood on the verge of civil war demanding its repeal; it is true the claim of Great Britain to superiority over Ireland was expressly abandoned by the Renunciation Act of 23 Geo. III. c. 28. But, in spite of the experience of the past, Mr. Gladstone is now proposing to re-enact the Statute of Dependence. He is proposing to acquire immortal honour by re-enacting what Yelverton and Grattan acquired immortal honour by repealing. He is proposing to enact as law that which Molyneux, the friend of Locke, denounced as usurpation. He is proposing to establish the servile theory of dependence against which Swift, the friend of Bolingbroke, protested as contrary to the law of God, of nature, and of nations.* He is proposing to re-enact the statute which Grattan described as a general attack on the liberties of Ireland.† He is proposing to restore a state of things which every patriotic Irishman, whether Whig or Tory, strove for a century and a-half to do away with. The flame kindled by the burning of the tract of Molyneux, to use the words of Grattan, illumined posterity; but it has shed no ray of light on the

* See the fourth of the *Drapier's Letters*.

† Grattan's *Speeches*, i., 42.

mind of Mr. Gladstone. No—the Bill of the Prime Minister has not even the merit of originality. It is a mere plagiarism from the past. It is an experiment which has already failed, and which is doomed to future failure. The Revolution which he would fain inaugurate is not so much a Revolution as a mere *Reaction*.

The Bill contains the elements of a reaction more intolerable still. Since the Americans threw the English tea-chests into the sea at Boston, Dr. Johnson's *Taxation no Tyranny* has not expressed the sentiments of any English party. But if the idea died with Lord North, it has come to life again with Mr. Gladstone. Ireland is to have no representative in the British Parliament, and the British Parliament is to be empowered to fleece it and to flay it with customs and excise. According to the nationalist historian, the National Debt of Ireland was £4,000,000 just before the Rebellion, and it was raised to £26,841,219 in carrying out the Union, in the interest of England;* and now after 85 years of a union, which Mr. Gladstone denounces as flagitious, it is fixed by Mr. Gladstone at £48,000,000, the interest of which Ireland is to pay, and England is to collect. Ireland is to be allowed a mere pittance, for pocket-money, out of a total revenue of £8,350,000, and all the

* Mitchel's *History*, vol. ii., p. 153. Lord Clare's figures differ from those of Mr. Mitchel; but in declaiming upon this topic the Irish Patriots of the future, I fancy, will prefer the figures of Mr. Mitchel to the figures of Lord Clare.

rest is to be allocated and appropriated by England. Ireland is told that England is a foreign nation, and that henceforth the laws of Ireland are not to come in a foreign garb, and that her government is not to wear a foreign aspect. But she is to pay a foreign tribute; and the army of the foreigner is to occupy her territory in order to collect it; and she is to pay for this foreign occupation for all future time. It is thus that the Prime Minister, to use the words of his *Manifesto*, proposes to secure to Ireland 'immunity from gross and wholesale insult', and to restore her share of 'the great inheritance of human right'.

But, says Mr. Gladstone, we shall have 'the consent of the three countries'—'we have no right to question for a moment in this free country, under a representative system, that the vast majority of the Irish representatives speak the mind of a decided majority of the people of Ireland'. He seems to think that he is engaged in a great international transaction, in which Mr. Parnell is to be regarded as a plenipotentiary, with full powers to bind the people of Ireland. This is a strange view of the constitution for a constitutional minister to adopt. 'Parliament', said Mr. Burke to his constituents at Bristol, 'is not a congress of ambassadors from different and hostile interests, which interests each must maintain as an agent against other agents and advocates; but Parliament is a deliberative assembly of our nation, with one interest—that of the whole—where not local pur-

poses, not local prejudices, ought to guide, but the general good resulting from the general reason of the whole. You choose a member, indeed; but when you have chosen him he is not a member of Bristol, but he is a member of Parliament'.* This doctrine is as old as Coke.† In fact it is coeval with Parliament itself. But grant that the doctrine is obsolete—grant that it is a part of the fallen ruins of a crumbling constitution. Let us regard the matter not as a parliamentary vote, but as an international transaction. In such a transaction each of the high contracting parties votes apart. Neither attempts to control the decision of the other. But if the vast majority of the Irish representatives are in favour of Mr. Gladstone's measure, the vast majority of the representatives of England and Scotland are against it. Why then should Mr. Gladstone claim the right of swamping the English and Scotch majority by the Irish vote? But apart from the confusion of ideas which Mr. Gladstone has imported into the discussion, is it so very certain that the vast majority of the Irish representatives speak the minds of the majority of the Irish people? Everyone who knows Ireland knows that the present crisis is not so much political as agrarian. Every competent authority will say that the agitation, so far as it is political, is mainly fostered from abroad. Everyone knows that the very sinews of the parlia-

* Burke's *Works*, iii. 20.

† 4 Inst. 14.

mentary war are furnished by Chicago and New York. It is a subsidised obstruction. The present Irish Parliamentary Party are the mere puppets of Mr. Parnell, just as the present ministers are mere puppets in the hands of Mr. Gladstone. Whose mind is it, then, that Mr. Parnell speaks? In the first place Mr. Parnell does not speak the mind of the million and a-half of men who represent the wealth, the intellect, the independence, and the sober judgment of the Irish people. Then again, he does not speak the mind of the Irish farmer, who cares little for forms of government so long as he can keep the land, and who, if he has any opinion on the subject, is afraid of the Nationalists, who interfere with his liberty of action, and who, he thinks, may declare the land to be, not his property, but the property of the nation. Neither does Mr. Parnell speak the mind of any Nationalist who took him at his word, and sent him into Parliament to win back the Parliament of Grattan. And, in the last place, he does not speak the mind of the most consistent and the most self-sacrificing of the 'patriots' of Ireland.

The Prime Minister, in the rush and riot of his headlong course, seems strangely to have forgotten who it was that originally roused him from his political slumbers, who it was that suggested his Irish policy, who it was that brought his great measures of disendowment, of confiscation, of dismemberment, within the sphere of his beneficent activity. Let that lamented gentleman, the late

A. M. Sullivan, remind the Prime Minister of the fact that the Irish Nationalist Party is composed of two divergent sections. 'Through all the course of Irish politics, from 1848 downwards', says Mr. Sullivan, 'the divergence and conflict of these two sections of the National party may be traced, and have to be kept in mind. Half the blunders of English politicians'—let the Prime Minister take note of this—'in dealing with the passing incidents of domestic Irish affairs, arise from ignorance of this state of things. A correct appreciation of it supplies a key to many apparently perplexing problems. The Constitutional Nationalists, looking to Henry Grattan as their founder, and the Revolutionary Nationalists, or Separatists, taking Wolfe Tone as theirs, have operated, and still operate—sometimes together, often in conflict—in Irish politics, down to the present day'.* Down to the present day this is as true as when *New Ireland* was written. Well, then, let the Prime Minister reflect upon a fact which he seems to have forgotten in his calculation. At the present moment there are 300,000 organized *Fenians* in Ireland. They have their affiliated clubs in every village. They have their military bands in every town. They are partially drilled and partially armed, and would be completely drilled and would be completely armed, were it not for those laws with a foreign aspect

* *New Ireland*, Seventh Edition, p. 197.

which still perpetuate 'Coercion'. These men are backed by the whole body of the Irish, who carry on their operations in the United States; and they are bound by the most deadly oaths never to rest till they have established a *republic* one and indivisible in Ireland. 'We stand face to face with Irish Nationality', said the Prime Minister, amid the cheers of the Home Rule party. But the Irish Nationality which he faces is not the Irish Nationality which he will have to face. Mr. Parnell and his party are in evidence at present. But though Mr. Parnell marches at the head of the Irish movement he does not lead it. He is urged onwards from behind. He and his followers are merely pushed forward as a cloud of skirmishers to mask the real advance. The advancing party are the Fenians. I have no sympathy with the aspirations of these men, but I think I understand them, and if I cannot approve their aims I can appreciate their motives. They are not the mere camp followers of a cause. They are not the mere stipendiaries of sedition. They are men with an idea. They are men. No member of the Irish Republican Brotherhood has condescended to send round the hat. They have supplied the martyrs and not the mendicants of disaffection. What will men of this type say when they come to understand the final settlement which has been arrived at between a party of puppets and a ministry of marionettes? On and after the appointed day there shall be established in Ireland a Legisla-

ture consisting of an Irish Legislative Body—and Her Majesty the Queen! On and after the appointed day the Legislature of Ireland shall be subordinate to, and dependent on, the Parliament of England! On and after the appointed day the English Parliament shall impose, and English officials shall administer, and English officers shall levy, Irish taxes! On and after the appointed day Ireland shall pay tribute to a foreign nation—England! On and after the appointed day Ireland shall be occupied by foreign troops, and shall pay for the foreign occupation. I can imagine what men such as these will say when they come to understand a final settlement like this. ‘A continued Monarchy’—they will exclaim—‘A subsidized Lieutenant! A Legislative Body bound hand and foot by England! A Tributary Province! A Province in the occupation of a foreign army! Ireland reduced to the level of Roumelia, the tributary to the Turk!’ ‘Is it for this’, they will say, ‘that we have dared all, and suffered all, and waited? Is it for this that our brethren have crowded the English prisons, and have perished on the English scaffold? And *this* is to be the final settlement—this is to be received as a final settlement by *us!*’

It is clear to demonstration that the scheme of Mr. Gladstone will satisfy neither of the two sections of the Nationalist party; it will satisfy neither the followers of Wolfe Tone nor the followers of Grattan. Let us see, however, how the scheme will

work. Under Grattan's constitution the political situation, according to the patriotic historian, was anomalous and insecure. 'Ireland had not, like England, a responsible body of Cabinet Ministers, accountable to her own Parliament. The Lord Lieutenant and Irish Secretary ruled as before; and although they were appointed, it was said, by the King of Ireland, they really held their offices and received their instructions from the Ministers in England'.* Mr. Gladstone's constitution makes no provision for the remedy of this evil; but it will doubtless be remedied by the Irish Legislative Body. An Irish Administration will be formed. There will be no Minister of War, for Ireland will possess no army. There will be no Minister of Marine, for Ireland will not possess so much as a single gardacosta to protect its coasts. There will not even be a Minister of Commerce, for trade and navigation are beyond the competence of an Irish Legislature. Neither will there be a Minister of the Fine Arts; for Ireland will be poor, and Art, which depends upon the rich, will be an absentee. But there will doubtless be a Minister of Finance, a Minister of Agriculture, a Minister of Public Instruction, and a Minister of Justice and Police. What the Minister of Agriculture will recommend is doubtful. He will, I am sure, consider the policy of migration as distinct from emigration, the expediency of converting the pasture lands of Ireland into tillage, and the pecuniary ad-

* Mitchel's *History*, vol. i., p. 275.

vantage of cultivating the Irish wastes, when the Irish cultivated lands have ceased to pay. The Minister of Public Instruction is precluded, it is true, from meddling with such subjects as the endowment of religion, or the establishment of any system of denominational education; but, with the assent of Her Majesty in Council, he will have the power to appropriate any part of the Irish Public Revenue ‘for the purpose of, or in connexion with, such subjects’ (sect. 19, subs. 2); and he will doubtless exercise his powers in favour of the Church of Rome. The Minister of Justice will do his best to relieve Ireland from the Saxon curse of a learned and independent Bench, and an accomplished and intrepid Bar. The Minister of Police will see that the police are well armed and drilled—and will probably utilise the Fenians. The whole administration, however, will mainly depend upon the Minister of Finance. ‘For the purpose of providing for the Public Service of Ireland, the Irish Legislature may impose taxes other than duties of customs and excise as defined by the Act’ (sect. 12); and I am sure the Minister of Finance will do his best to make provision for the Public Service. But what is the Minister to do? He will have to manipulate the finances of a country denuded of capital, and destitute of credit, and he will commence his operations with an empty exchequer, and an overwhelming debt. He will not possess the power of issuing assignats, and territorial mandates, and *bons des trois quarts*, which the

French Minister of Finance in the French Revolutionary period possessed; he will not even possess the privilege of coining the brass farthings of King James. Nay, his own salary, and that of his colleagues, and that of the whole public service, may be in arrears, and England will not even permit him to exercise an independent judgment as to the taxes which he will impose; for the Bill provides that 'it shall not be lawful for the Irish Legislative Body to adopt or pass any vote, resolution, address, or bill, for the raising or appropriation for any purpose of any part of the public revenue of Ireland, or of any tax, duty, or impost, except in pursuance of a *recommendation* from Her Majesty signified through the Lord Lieutenant, in the session in which such vote, resolution, address, or bill is proposed' (s. 19, subs. 1).

It may seem astonishing that the Irish Parliamentary Party should consent to receive a Bill like this, with its exceptions, and its restrictions, and its illusive powers, as a *final settlement* of all questions depending between Ireland and England. And yet we have been assured by the Parnellites, in open Parliament, that the Bill will be accepted in full discharge of all demands by the whole Irish Parliamentary Party—'to a man'. But the Irishman is no fool: the Parnellites know what they are at. They may promise and protest; but their promises and protestations are not treason to Ireland—they are merely perfidy to England. They know that the

separation of the Legislatures is the first step to the separation of the countries. The Irish Legislative Body, created by the Prime Minister of England, is at least a *body*; and they will know how to animate it with a soul. That soul will be the soul of disaffection. It will be a soul which will employ the agency of its body to extend its powers, to advance its interests, to encroach upon the rights of England. The artificial Body which Mr. Gladstone would fain create, like the Monster of gigantic size and distorted features that was created by Frankenstein, will be a torment to itself, will be a wonder to the world, and, unless it be speedily destroyed, will prove the death of its creator.

The Prime Minister believes that his new Irish government will never come into collision with the Government of England. He intimates in his *Manifesto* that under his new Constitution the preservation of imperial prerogative is absolute and complete. He has obviated, as he thinks, the possibility of such a conflict as occurred on the occasion of the Commercial Propositions of Mr. Pitt in 1785, by reserving to the English Parliament all questions affecting Commerce. He has obviated, as he thinks, the possibility of such a conflict as occurred on the Regency question in 1789, by reserving to the English Parliament all questions relating to the status of the Crown. But the Bill itself suggests a thousand occasions of collision. Suppose the Irish Legislative Body should declare its sittings permanent when the Lord Lieutenant had intimated

his intention to prorogue it or dissolve it (s. 7). Suppose the Irish Legislative Body should refuse to impose such taxes, duties, or imposts, as will raise a sufficient revenue to meet all sums charged for the time being on the Irish Consolidated Fund (s. 13). Suppose the Irish Legislative Body should refuse to pay the Consolidated Fund of the United Kingdom the instalments which it is bound to pay on foot of loans advanced on any security in Ireland (s. 17). Suppose the Irish Legislative Body, on a declaration of war by England, should peremptorily refuse to appropriate any further sums out of the Consolidated Fund of Ireland 'in aid of the army or navy, or other measures [*sic*] which Her Majesty may take for the prosecution of the war' (s. 18). How are these refusals to be resented? How are these obligations to be enforced?

Nor is this the worst. The Irish Legislative Body may not only refuse to assist the English Government in its wars; it may have occasioned the very war in which it refuses to assist. The Legislature of Ireland is forbidden to make laws relating to offences against the *Law of Nations* (s. 3); the power of making such laws is expressly reserved to England; and it is England that will be responsible to foreign powers for their enforcement. Suppose, then, that Dublin should become, as under the new regime it is likely enough to become, the Alsatia of the Communards, the Dynamitards, the Nihilists, the Invincibles, of Europe; suppose that Ireland should grant the

right of sanctuary to the persecuted patriotism of the world. A foreign monarch is assassinated; the assassin flies to Ireland; the foreign government demands his extradition from the government of England; the English Government calls upon the Irish Executive to act—what if the Irish Executive declines to answer to the call?

Take the case of the *Army*. Here we have the actual experience of the past to fall back upon for our instruction. In the year 1780 the Irish army, or rather the English army in Ireland, was provided for under the Annual Mutiny Act, passed by the Parliament of Great Britain—the arrangement that is now proposed by Mr. Gladstone. The public mind was agitated against England at the time, and popular passions were aroused. The Army was falling to pieces by desertion; the deserters were committed to prison; and the Irish magistrates released them. Members of the Irish Parliament declared in their places that neither as magistrates nor as jurors would they suffer the British Mutiny Law to be acted on. In his extremity the English Viceroy summoned his Irish Privy Council, and his Irish Privy Council informed the English Viceroy that the British Mutiny Act could not be enforced in Ireland.* This history may well repeat itself; and at the first acute crisis of affairs the English army in Ireland will be demoralised by invitations to desert, and by the impunity offered to desertion.

* Froude's *History*, vol. ii., pp. 280–282.

Or look at the matter in another view. England, we are told, is considered by Ireland as a foreign country. If so, the English garrison in Dublin will be in the same position as an Austrian garrison at Milan, or a Russian garrison at Warsaw. The Irishman will be in the same position as the Italian or the Pole, and will be animated by the same patriotic instinct. Here, again, we have history to instruct us. The Irish populace under the Constitution of Mr. Gladstone will probably be neither better nor worse than the Irish populace under the Constitution of Mr. Grattan; and in the year 1783, just a hundred years ago, so many men of the 49th Regiment had been *hamstrung* by the Irish patriots, that the regiment was ordered out of Dublin, lest they should inflict retribution on the mob who were in league to protect the ruffians who assailed them.

The Legislature of Ireland is forbidden to make laws with respect to *Volunteers*. But, on a memorable occasion, Mr. Flood in the Irish Parliament proclaimed ‘the undoubted right of the free men of Ireland to the possession and the use of arms.’* The manufacture of arms, at common law, is a lawful occupation. Drilling, again, is a mere statutable offence, which may be made innocent by statute. What then? The glorious tradition of the Volunteers is one of the most cherished of Irish ideas; and who is to coerce the Irish Volunteers

* Froude's *History*, ii. 470.

if they take to volunteering? Who is to interfere with the liberty of the subject if the subject takes to marching in procession under a tricolor of green and white and orange, surmounted by a pike-head, such as Mr. Meagher brought back from Paris and presented to the citizens of Dublin? * What if the armed beggary of Ireland, to use a phrase of Mr. Grattan's, should rise? The English commander-in-chief, at the request of the English Lord Lieutenant, might mount his cannon on the entablatures of the Bank, and bivouac his troops in the quadrangles of the College, as his predecessor did in 1848. But I fear there would be nothing left for it but this.

A similar difficulty would arise with respect to the *Customs* and *Excise*. Irish patriotism may possibly come to regard the English Custom-house officer, and the English exciseman, as Irish patriotism has regarded the tithe proctor, the process-server, and the bailiff. In such a case I fail to see how, under Mr. Gladstone's Constitution, the English Government will be able to protect its own officials from the natural hatred of the Irish people; and I scarcely think the Irish Administration will make itself unpopular by putting forth its powers to arrest the natural course of Irish indignation. The Bill, it is true, provides that 'all legal proceedings instituted in Ireland by or against the Commissioners or any Officers of Customs or Excise'

* Mitchel's *History*, ii. 436.

may be brought before the Irish Exchequer Division, and carried to the English House of Lords; and that if it is made to appear that any decree or judgment in any such proceeding has not been duly enforced, the Judges may 'appoint some officer to enforce it' (sec. 20). But if the Irish Administration should wink hard, or look the other way, as Irish officials in the Castle even now occasionally do, I wonder what benefit would accrue from this to the exciseman?

Then, again, as to Irish *Trade and Commerce*. This was a subject on which the old Irish Parliament was peculiarly sensitive and jealous. 'The Irish Parliament', said Flood, amid salvoes of applause, 'will not become the register of the English Parliament'; 'freedom of the constitution', he said, 'is necessary to freedom of trade—liberty is the nurse of commerce.'* Every student of Irish history remembers how Napper Tandy planted his cannon in College Green, with the menacing inscription, 'Free trade or this!' The Nationalist party of the present, it is true, goes in avowedly for Protection. But this only necessitates a new inscription for the cannon. Suppose, however, that so extreme a proceeding should not be deemed expedient. A woollen manufactory is established in an Irish town; an English firm attempts to strangle the infant manufactory by underselling; what is an Irish Minister to do? If he cannot pro-

* Froude's *History*, ii. 479.

pose a tariff, why may he not suggest a bounty? If he cannot propose a law, why may he not suggest a resolution? If Mr. Gladstone conceives that he has secured the trade of Manchester, and Birmingham, and Sheffield, from the protective policy of the Irish Party, I should recommend him to read Swift's proposal for 'utterly rejecting and renouncing everything wearable that comes from England'. Swift was not an old parliamentary hand, but he knew something of Ireland and the Irish, and he is worth listening to upon an Irish question. 'I heard', he says, 'the late Archbishop of Tuam mention a pleasant observation of somebody's, that Ireland would never be happy until a law were made for burning everything that came from England—except their people and their coals'. No such *law*, thanks to the Prime Minister's precautions, can be made by the Irish Legislative Body. 'But', says the Dean, 'what if the House of Commons should think fit to make a resolution—*nemine contradicente*—against wearing any cloth or stuff in their families which were not of the growth and manufacture of this kingdom?' 'What if they should extend it so far as utterly to exclude all silks, velvets, calicoes, and the whole lexicon of female fopperies, and declare that whoever acted otherwise was an enemy to the nation?' As a matter of fact, in the year 1780 the Freemen of Dublin met, with the High Sheriff in the chair, and carried a non-importation resolution, in which they declared that 'they would neither themselves import, nor

consume, nor would deal with any tradesman who ventured to import, manufactured goods from England'.* Mr. Gladstone proposes to create a Legislative Body which could pass such a resolution—a resolution which it could not convert into a law, but which it might invest with the moral feeling of the nation, and allow to be enforced by the peculiar sanctions by which the nation's unwritten law has from time immemorial been enforced.

The Prime Minister does not seem to see that, in handing over to the Irish Party the powers of the executive which he is willing to renounce, he is virtually handing over the powers of legislation which he is anxious to retain. He seems to have formed no idea of the active results which mere passive resistance can produce. It is not too much to say that Mirabeau precipitated the French Revolution by inducing the deputies of the Tiers Etat to do nothing for a month but sit upon their benches. Every patriot is well acquainted with this trick of the good old patriotic trade. On this point the letters and speeches of Mr. Grattan are full of suggestive matter, on which future Mr. Grattans will not fail to act, in case the English Government should delay to comply with their demands. 'We retire within ourselves', says Mr. Grattan to one of his correspondents, 'preserving our allegiance to the Crown as annexed to England, and in perfect obedience to all the laws of Ireland; *but we do not*

* Froude's *History*, ii. 290.

execute English laws nor English judgments. We keep to our covenants and our associations, consume our own manufactures, keep on terms of amity with England under the law, with that diffidence which must exist if she is so infatuated in support of a claim to take away our liberty'.* And it should be noted that the claim of which Mr. Grattan here complains is the claim which Mr. Gladstone is anxious to renew—the claim to keep Ireland dependent on, and subordinate to, Great Britain. But Mr. Grattan was prepared to go much further in his efforts to get rid of this odious subordination and dependence. His thoughts, at times, reverted to Napper Tandy and his cannon. He was prepared to regard the resolutions of the Irish House of Commons as '*parliamentary ordinances to be maintained by the armed associations.*'† In point of fact, it was by the armed associations, with which the executive was afraid to interfere, that the revolution of 1782 was carried. But even the armed associations were not the force on which the Irish Patriots exclusively depended. When Yelverton's Act was passing through the Houses, the English authorities were in abject terror lest the Houses should be '*overawed by popular violence, and pass votes disclaiming British legislation.*'‡ Nor were the fears of Lord Carlisle and Lord Hillsborough unfounded. The Parisian mob, when it sang *ça-ira*, and danced the carmagnole, was not more audacious than the

* Grattan's *Life*, ii. 251. † Froude's *History*, ii. 344. ‡ *Ibid.*

mob of Dublin. The mob hustled the Viceroy in the theatre. It hooted the obnoxious member of Parliament as he left the House. It beat its drums and sounded its rappels. It held riotous possession of the streets. It blockaded College-green, and terrorised the House of Commons. It half-murdered Mr. Grattan himself when the great Tribune of the People refused compliance with its whims.* If the military were called out the popular Lord Mayor would not allow the soldiers to fire for fear of hurting the poor people; and if the soldiers were attacked and used their arms in self-defence, why, in the opinion of every patriot they were English savages who were bent on slaughtering the Irish.

The mention of popular violence suggests another consideration to the reflecting mind. The Prime Minister is solicitous to protect the Judges who 'have been placed in relations more or less uneasy with popular influences, and with what, under the new constitution, will in all probability be the dominating influence in that country'. But who are the Judges that, in the opinion of the Prime Minister require protection? They are Judges who tried the mutilators of cattle, the murderers who spared neither age nor sex, the Invincibles, who passed sentence of death on every official of the English Government in Ireland. Such is the influence which the Prime Minister believes will be the domi-

* Grattan's *Life*, v. 505, 536.

nating influence in the country—and he proposes to confer upon the country in which this is the dominating influence the boon of an independent administration. It is this dominating influence which will be supreme in Ireland if Mr. Gladstone has his way. The Civil Service, the Constabulary, and the Police will eventually be under its control. It will have the nomination of the Magistrates and of the Judges of the land. The whole patronage of the country will be in its hands. It will establish a new and an odious ascendancy. The very professions, in which at present men of loyal sentiments hold so prominent a position by force of merit, will be virtually closed to them by reason of their one demerit—that they were loyal to the Empire and to England. The new tribunals of the country will be open to all, just as they are open now. But under the new criminal jurisprudence there will be no power of changing a venue, of appealing to a special jury, of invoking the protection of any summary jurisdiction in the case of flagrant and intolerable wrong. The Loyalists, if they continue Loyalists, will not be expelled from Ireland as the Moors were expelled from Spain, and the Huguenots from France—they will be hustled out.

The possibility of these things is foreseen by the Prime Minister, who has exhausted his ingenuity in providing ‘restrictions’, and ‘exceptions’, and ‘safeguards’, and ‘guarantees’. But the tiger is not to be kept back by the gossamers that glitter in

the sun before his lair. The danger of the Loyalists is not imaginary—the fears of the minority are not fantastic. They have alarmed even the most sober of our statesmen. They have appealed to the consciences of men like Lord Hartington, and Mr. Chamberlain, and Mr. Trevelyan, and Mr. Goschen. They have evoked the indignant protests of men like the Duke of Argyle, the Earl of Selbourne, and the Earl of Derby. I say nothing of Lord Salisbury and the party which he leads. There is no one who does not recognize the peril to which the Loyalists are exposed. To that peril they are exposed by reason of the position in which they have been placed by England. For England to abandon them to the mercy of their foes is not mere impolicy, is not mere injustice—it is dishonour. It is dishonour such as no great nation has incurred since the Romans evacuated Britain, and left the Britons to the mercy of the Picts and Scots.

The minority thus to be abandoned and disowned, however, is not altogether to be left out of calculation and despised. There has been talk of civil war; and the Prime Minister has characterized this talk as mere ‘momentary ebullition’. The Prime Minister may be right in this, or he may be wrong. Still, in the wild excitement and fierce passions which he has roused, the possibility of a civil war in Ireland is not one of those possibilities which a wise statesman should discount. The people in the North are terribly in earnest.

They remember the horrors of the winter of 1641, and the billetings and attainders of 1689. They still celebrate the glories of Derry, and Newton Butler, and the Boyne. They are the best judges of the danger in which they stand from their hereditary foes. What if civil war should actually break out? What does the English Government propose to do? Will it employ the Enniskilleners to dragoon Enniskillen? Will it employ the Scotch Presbyterian regiments to coerce Belfast?

But there is another aspect of the subject which England should prepare herself to face. The intellect and wish and will of a people with English blood in its veins, and which has supplied England with great soldiers, and administrators, and statesmen, will not tamely brook injustice. It is possible that it may address the English people in the tone of menace. It may say, 'We are weary of your liberal disendowments, of your generous confiscations, of your ignominious surrenders, sanctimoniously disguised by appeals to everlasting justice. We have been so infamously treated by your English factions that we cannot be more infamously treated by our own. We will try the experiment. We will join our fellow-countrymen. Their knowledge of what desperate men may do will prevent them from driving us to desperation. We will assist in forming a United Ireland'. I do not think this action of the Loyalists would betoken good to England. The most formidable leaders of Irish

opinion have been men of English blood. No Irishman with English blood in his veins would acquiesce in Ireland being held by England as a dependent kingdom, as a taxed colony, as a tributary province, as a country to remain for ever in the military occupation of a foreign power. The deadliest enemies that England encountered in America were the exiled Presbyterians of the North; and if ever she should be engaged in another struggle for existence, I do not think she could count on much enthusiasm on the part of the abandoned Loyalists of Ireland. There is the wild justice, as Bacon calls it, of revenge. There is the desperate saying of the Florentine with reference to the friends who had neglected and betrayed him. 'You shall read', he said, 'that we are commanded to forgive our enemies; but you never read that we are commanded to forgive our friends'.*

Such is the future of hatred and disaster which Mr. Gladstone proposes to leave as a legacy to his country when he is dead and gone. Such is the famous measure which has descended like a thunderbolt upon an astonished people, which has shivered a great party into pieces, which has dissolved a Parliament, and which threatens to destroy a United Kingdom, and to disintegrate a mighty Empire. So far as this ill-omened measure professes to be a concession to national sentiment,

* Bacon's *Essays*, No. 4.

it only enables one portion of the nation to oppress the other. So far as it professes to be a final settlement between England and Ireland, it leaves open every question which has agitated Irish nationality for ages. It deprives Ireland of all the benefit of the Union, but it leaves the bond. It throws Ireland back into that state of dependency upon the Parliament of England against which the Irish House of Commons unanimously protested in 1641; against which Tyrconnel's Parliament voted in 1689; against which Molyneux wrote in 1698; against which Swift declaimed in 1724; against which Grattan and Yelverton thundered in 1780, and which was disposed of, as it seemed, for ever by the Act of Renunciation, passed in 1783. The benefit of that Renunciation Act Mr. Gladstone now calls on Ireland to renounce; and Mr. Parnell consents that the English Parliament should resume the gift extorted from her fears by Grattan! This is the Gladstonian settlement of Ireland. Ireland is no longer to enjoy the benefits of the Constitution conferred upon her by the Act of Union; she is not even remitted to her rights under the Constitution of 1782; she is sent back two centuries in her miserable career, and is to occupy the dependent position into which she was forced by the Battle of the Boyne!

Mr. Gladstone conceives that his measure would restore Ireland to her share of 'the great inheritance of human right.' How would this measure have been regarded by Mr. Grattan? We know his

views, not as to the great inheritance of human right—for Mr. Grattan was no cosmopolitan politician, no Tom Paine in office—but as to the rights of Irishmen as British subjects. He stated them in his speech to the House of Commons in moving the Declaration of Right in 1782. Having described the triumphs achieved by the spirit of liberty in England, he indignantly asked: ‘Has then the birth-right of the British subject, *your* birth-right, been sufficient against precedent? . . . Has our common birth-right done all this for England, and given security to her meanest subject, and clothed her beggar with his sturdiness? And has it left Ireland naked, subject to be bound without your consent, taxed without your consent, with your commerce restricted, an independent army, and a dependent Parliament, and your property adjudged by the decisions of another country?’* To this indignant question of the great Irish Patriot Mr. Gladstone proposes to answer, Yes—this is the very position to which I would fain reduce the country. And does the Prime Minister think that Irishmen are so destitute of manhood and so lost to shame that they will finally acquiesce in an ignominious settlement like this? It is impossible they should. The agitation which distracted Ireland from 1641 to 1782 will be renewed. There will be a new race of agitators.

Alter erit tum, Tiphys, et altera quae vehat Argo
Delectos heroas.

* Grattan’s *Speeches*, i. 111.

There will arise a new Darcy, a new Molyneux, a new Swift, a new Lucas, a new Grattan. They will protest against subordination, and contend for independence. They will say, 'Mr. Parnell stood in a Parliament where Ireland was at a disadvantage; he accepted an ignominious compromise from the English Minister; but Mr. Parnell was not the Plenipotentiary of Posterity, and he had no authority to bind the Irish Nation.' In contemplating the settlement of 1886—if the day fixed by Mr. Gladstone is to be our 'appointed day'—they will be animated with the sentiments of Mr. Grattan when he said, 'If I had lived when the 9th of William took away the woollen manufacture, or when the 6th of George the First declared this country to be dependent, and subject to laws to be enacted by the Parliament of England, I should have made a covenant with my own conscience to seize the first moment of rescuing my country from the ignominy of such acts of power; or, if I had a son, I should have administered to him an oath that he would consider himself as a person separate and set apart for the discharge of so important a duty.'*

And this duty will infallibly be discharged if Mr. Gladstone's object is accomplished. Ireland will endeavour to throw off the intolerable burden of her indebtedness to England. She will strive to break the galling fetters of the exceptions and restrictions imposed upon her freedom by the Act of Mr. Gladstone. She will refuse to recognize the

* Grattan's *Speeches*, i. 39.

fact that she is subordinate to, and dependent on, the Parliament of England. As surely as the sun renews its orbit, so surely will the Irish people return upon its traces, and assume its old attitude to England. It will assume it, when England is distracted by some domestic trouble, or entangled in some diplomatic dispute, or engaged in some great European war. It will assume it, when it thinks that it has England on the hip. The only remedy that will then be left to England, unless she be content to suffer fresh wrong and humiliation at the hands of Ireland, will be coercion. But in such a case coercion will not be the coercion which it is the fashion of the moment to decry. Coercion will not be Authority enforcing *Law*—it will be *War*.

But matters, it will be said, will never be allowed to come to this. Many Liberals are inclined to regard Mr. Gladstone's measure as a mere *experiment*. If the experiment should fail—if the Irish Legislative Body should prove impracticable—we should only have to resume our gift, they seem to think, and the matter would be ended. They seem to think, in fact, that the Irish Legislative Body may be treated as a schoolboy treats his bird when he ties a string to its leg, and lets it fly. They imagine that if it should attempt to fly too far or too high they would only have to pull the string, and their bird would be in hand again. But they underestimate the strength of the bird, and they have no idea of the weakness of the string. Consider the 39th section of the Bill. It provides that 'on and after the

appointed day the Act shall not, except such provisions thereof as are declared to be alterable by the Legislature of Ireland, be altered, except—(a) by Act of the Imperial Parliament, and with the consent of the Irish Legislative Body, testified by an address to Her Majesty; or (b) by an Act of the Imperial Parliament, for the passing of which there shall be summoned to the House of Lords the Peerage members of the first order of the Irish Legislative Body, and if there are no such members, then twenty-eight Irish Representative Peers, elected by the Irish Peers in manner heretofore in use, subject to adaptation as provided by the Act; and there shall be summoned to the House of Commons such one of the members of each constituency, or in the case of a constituency returning four members, such two of those members as the Legislative Body of Ireland may select; and such Peers and members shall, respectively, be deemed, for the purpose of passing any such Act, to be members of such Houses of Parliament, respectively' (sec. 39). It is incomprehensible to anyone who knows anything about Ireland that the Prime Minister should think it possible that the Irish Legislative Body could be got rid of by a palpable device like this. Let any man of sense put the following questions to himself, and he will see the utter futility of the thought. What if Peer and Commoner should disregard the summons? What if the Peers should decline to elect, and the Legislative Body should decline to make selection? What if the

Irish Judges should deny the authority of a Parliament which had ceased to be Imperial? What if Ireland should appeal to what the Prime Minister calls the international transaction which guaranteed her position among the nations? The Parliament at Westminster might exercise its rights; but they would only be the rights of the stronger. England, to use an expression used in the recent debate, might intervene; but her intervention would be by bayonet, and not by Bill. Law might exert its supremacy; but its supremacy would have to be exerted not in Parliament, but in the field.

No—the measure, if passed, would be no final settlement of the difficulties in which we are involved. It would not inaugurate an era of fraternity and friendship—it would be but the beginning of strife, it would be the letting out of waters. And it is not merely that fresh complications would arise in Ireland. The United Kingdom would be disunited. Our whole Colonial system would be shaken to its base. The prestige of our Empire would be gone. And is it for results like these that we are called upon to cripple our resources, disturb the equilibrium of our finance, and add £100,000,000 to our debt? Is it for results like these that we are called on to violate every principle of the great Liberal Party—to re-introduce the inequalities which it has striven to remove; the vetoes which it has derided; the property qualifications which it has denounced as fraught with perjury and fraud; the theory of taxation,

against which Chatham and Burke and Fox protested, and which cost us an empire when we endeavoured to enforce it? The fatal measure is repudiated by all those who, to use the phrase of Burke adopted by Lord Beaconsfield, are men of light and leading. The whole intellect of the country is against it. Against the intellect of the country the Prime Minister invokes its ignorance, under the name of 'the upright sense of the nation'—its faction, under the name of 'an upright and enlightened House of Commons'—its fanaticism, under the desecrated name of 'generous justice'—its madness, under the guise of its blind reliance on himself.

Let not the English people disguise from themselves the true character of the abject surrender which they are called upon to make. They are called upon to surrender everything they hold dear at the dictation of the Irish. If they are determined to perpetrate this folly, let them look it in the face. Let them recognize the fact that they are relying, not on their own judgment, but on the judgment of a fallible man, whom they have converted into a Political Pontiff and a Party Pope. And what is Mr. Gladstone that he should receive such honor from a free and independent people? On this question of the Empire the name of Mr. Gladstone is the synonym of change. In 1835 Mr. Gladstone, then a High Churchman and a Tory, denounced the policy of the Whigs with reference to the Church of Ireland, and expressed his belief that 'if it should be removed they would not long

be able to resist the Repeal of the Union'.* In 1871 Mr. Gladstone asked his countrymen, 'Can any sensible man, can any rational man, suppose that at this time of day, in this condition of the world, we are going to disintegrate the capital institutions of the country, for the purpose of making ourselves ridiculous in the sight of all mankind, and crippling any power we possess of bestowing benefits through legislation on the country to which we belong?' In 1885 he entreated his countrymen to give him such a Liberal majority as might enable him to defeat the nefarious conspiracy which he said existed between the Parnellites and Tories to repeal the Union and destroy the Empire. And in the year 1886—a few short months afterwards—he brings in his Government of Ireland Bill, and proposes that we should cripple our powers, disintegrate our empire, and make ourselves ridiculous in the eyes of all mankind. He does this on the transparent pretext that the Tories had ventured to try the experiment in 1885 which he himself had tried in 1880. In a moment, in the twinkling of an eye, without a word of warning, he changes the professions of his life. Without consulting the country, without consulting his party, without consulting the colleagues with whom he was accustomed to act, without taking counsel with anyone but Mr. Parnell, and industriously concealing his intentions, he has broken with all the traditions of his party and his past.

* Lecky's *Leaders of Opinion*, p. 165.

The eyes of the whole world are fixed upon the English people. Both friend and foe are watching how it will comport itself in this crisis of its fate. Its enemies—those who envy its glory, and detest its name—are holding meetings, delivering orations, and passing resolutions, applauding Mr. Gladstone's 'generous' resolve. But in reality they are watching with malignant eyes to see if they can observe any signs of weakness in the attitude of England; to see if they have any chance of flattering a great people into infamy and ruin. And what of the Democracy of England? The great American Democracy entered on the most gigantic war in the annals of the world to preserve its Union. The French Democracy sent a brilliant band of statesmen to the guillotine because they proposed to destroy the unity of the great Republic and replace it by a federation of republics.* Is the Democracy of England inferior in patriotism or intelligence to those of America and France? Has it lost all imperial instincts, foresworn all imperial traditions, forgotten all the responsibilities of empire? Mr. Chamberlain has answered for the English people—No! And I think I know how the people of Scotland will respond to the cry of their brethren in Ireland. They will respond in the words of the great Scottish Historian and Liberal Statesman, which were received with thunders of applause in the United

* Alison's *History of Europe* (People's Edition), ii. 88.

House of Commons forty years ago:—‘The Repeal of the Union we regard as fatal to the Empire, and we never will consent to it; never, though the country should be surrounded by dangers as great as those which threatened her when her American Colonies, and France, and Spain, and Holland were leagued against her, and when the Armed Neutrality of the Baltic disputed her maritime rights; never, though another Bonaparte should pitch his camp in sight of Dover Castle; never, till all has been staked and lost; never, till the four quarters of the world have been convulsed by the last struggle of the great English people for their place among the nations’.





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